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6 UNITED STATES DISTRICT COURT  
7 DISTRICT OF NEVADA

8 UNITED STATES OF AMERICA,

9 Plaintiff,

10 v.

11 JONATHON LEON TOLIVER,

12 Defendant.

No. 2:06-CR-00234-RHW-GWF-2

**ORDER**

13 On December 23, 2016, the Ninth Circuit issued its judgment that affirmed  
14 in part, vacated in part, and remanded the judgment to the district court. ECF No.  
15 769. An Order on Mandate was issued by Chief Judge Gloria M. Navarro on  
16 March 15, 2017. ECF No. 775. Following reassignment, a Status Conference is  
17 scheduled for May 22, 2017.

18 Ahead of the Status Conference, the Court directs the parties to confer and  
19 prepare a joint statement of the following:

- 20 1. The perceived scope of the remand;

2. The issues that must be determined ;
3. The witnesses that both parties anticipate to call;
4. The discovery anticipated to be necessary for the issues on remand; and
5. A proposed schedule.

If the parties are unable to agree on any of the above items, the parties shall file a joint statement stating such, and each party shall file their own briefing on the items on which the parties could not agree. The parties will submit their briefing no later than **May 19, 2017**.

The Court will discuss these issues at the hearing on May 22, 2017 at 11:00 a.m.

**IT IS SO ORDERED.** The District Court Executive is directed to enter this Order and forward copies to counsel.

**DATED** this 9th day of May, 2017.

*s/Robert H. Whaley*  
**ROBERT H. WHALEY**  
Senior United States District Judge